

Translation

PATENT COOPERATION TREATY

PCT/EP2003/007438



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002-0908 P	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2003/007438	International filing date (day/month/year) 09 July 2003 (09.07.2003)	Priority date (day/month/year) 30 September 2002 (30.09.2002)
International Patent Classification (IPC) or national classification and IPC H04L 12/24		
Applicant OCE PRINTING SYSTEMS GMBH		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 30 April 2004 (30.04.2004)	Date of completion of this report 30 March 2005 (30.03.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages \_\_\_\_\_ 1-14 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ 1-13 \_\_\_\_\_ received by this Authority on 05 November 2004 (05.11.2004)
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages \_\_\_\_\_ 1/2-2/2 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

**2. Citations and explanations****1. Reference is made to the following document:**

D1: US-A-5832503

**2. The present application does not satisfy the requirements of PCT Article 33(1), because the subject matter of claim 1 does not involve an inventive step (PCT Article 33(3)). The reasons are as follows:**

D1, which is considered to be the closest prior art, discloses (the references in parentheses relate to said document):

*Method for managing at least one data object of a network element* (abstract: "method for monitoring parameters that govern the operational characteristics of a network device"), wherein at least the data of a data object is stored in a database (abstract: "A database of models is provided, each model representing an associated network device and including attribute values"; column 2, lines 38 to 46: "'model' is analogous to ... an 'object' in object-oriented terminology"), an identifier is assigned to the data object (abstract;

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column 6, lines 3 to 4: "a configuration section which lists the available configurations by name"), at least one first source text (D1: figure 3, "template") is generated with a plurality of instructions in a programming language (implied; column 4, lines 41 to 44: "models are implemented as software 'objects' containing ... one or more 'inference handlers' (functions); functions contain instructions in a programming language), which source text contains the identifier of the data object, from the first source text there is generated a second source text (D1: figure 3, "configuration") (column 2, lines 18 to 25; "template" is construed as a source text: "A configuration manager accesses a set of model types ... creates a template ... and then screens a selected model with the template to retrieve the values for each of the attributes in the template ... to create a configuration record for the model"), the identifier of the data object being replaced by at least a portion of the data stored for the data object in the database (column 2, lines 18 to 25: "screens a selected model with the template to retrieve the values for each of the attributes ... from the attribute values in the database"). The subject matter of claim 1 differs therefrom in that the method is used on a printer/copier system.

A person skilled in the art generally knows, however, that the feature "printer/copier" is equivalent to the feature "network element" known from D1 and that the two features are interchangeable if need be.

The SNMP (simple network management protocol) (see

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D1, column 4, line 65 to column 5, line 2) is a worldwide network management protocol that uses what are known as MIB (Management Information Base) objects (see RFC 1067 and RFC 1212). A person skilled in the art would know that, prior to the filing date, almost all data processing devices were connected to a network and that manufacturers provided MIBs for their devices. Printers and copiers are almost always connected to a network because they are shared by different users. Consequently, they are always managed. A person skilled in the art would therefore regard a printer or a copier as a network element.

The subject matter of claim 1 does not therefore involve an inventive step and thus does not satisfy the criterion in PCT Article 33(3).

3. The further dependent claims 2 to 12 do not appear to contain any additional features which in combination with the features of any claim to which these claims refer back satisfy the PCT requirements for inventive step (PCT Article 33(3)). The reasons are as follows:

- 3.1 The additional feature of claim 2 (insofar as the meaning is clear), namely a data object containing a variable or constant, is known in the art as a "set of attributes" (D1: column 2, lines 16 to 18). A skilled person aware of D1 would also apply it directly.

Claim 2 is therefore not inventive (PCT Article 33(3)).

- 3.2 The additional feature of claim 3 is known from D1 where, with the aid of the source text, a program code is generated for processing in a controller of the network element (column 3, lines 25 to 35; column 4, lines 41 to 45).

The subject matter of claim 3 does not therefore involve an inventive step (PCT Article 33(3)).

- 3.3 The subject matter of claim 4 (insofar as the meaning is clear) is likewise not inventive (PCT Article 33(3)), because a person skilled in the art would consider a machine program module (as program module) to be standard procedure.

- 3.4 The feature "source text is a text document" in claim 5 is likewise not inventive (PCT Article 33(3)), because it is disclosed in D1 (column 2, lines 58 to 59; figure 3).

- 3.5 In view of the statements in the above paragraphs, a person skilled in the art would consider it standard procedure to combine all the features listed in claim 6. The subject matter of claim 6 does not therefore involve an inventive step and thus does not satisfy the criterion in PCT Article 33(3).

- 3.6 The subject matter of claim 7 does not involve an inventive step and thus does not satisfy the criterion in PCT Article 33(1) and (3), because D1 discloses a Management Information Base source text or, alternatively, that the source text is used to generate a Management Information Base to manage the controllers and assemblies of the network element (column 2, lines 38 to 49; column 4, line 65 to

column 5, line 13; SNMP protocol manages MIB; figure 3, 4).

3.7 The subject matter of claim 8 does not involve an inventive step and thus does not satisfy the criterion in PCT Article 33(1) and (3), because a standardised application interface for a database is a conventional measure. For a person skilled in the art the inclusion of this measure would be a procedure within the scope of normal trade practice for making the database accessible.

3.8 The additional features of claims 9 to 12 are each only one of the many obvious possibilities from which a person skilled in the art would choose according to the circumstances without thereby being inventive.

The subject matter of claims 9 to 12 does not therefore involve an inventive step and thus does not satisfy the criterion in PCT Article 33(3).

4. The subject matter of claim 13 is a device corresponding to the method in claim 1. Like the method defined in claim 1, this device can be deduced from D1. The subject matter of claim 13 therefore likewise fails to satisfy the requirement for inventive step (PCT Article 33(1)).